



## COMMITTEE MEMORANDUM

TO: Commissioner Matti Bower, Chairperson  
Commissioner Luis R. Garcia, Jr., Chairperson  
**Members of the Ad Hoc Condominium Reform Taskforce**  
VACANT – Appointed by Commissioner Matti Bower  
Nina Baliga – Appointed by Commissioner Luis R. Garcia, Jr.  
VACANT – Appointed by Commissioner Richard Steinberg  
Joe Fontana – Appointed by Commissioner Saul Gross  
Michael C. Gongora – Appointed by Commissioner Richard Steinberg  
Calvin Kohli – Appointed by Commissioner Saul Gross  
Luis Maseda – Appointed by Commissioner Jerry Libbin  
Milli Membiela – Appointed by Commissioner Simon Cruz  
Barbara Montero – Appointed by Commissioner Jerry Libbin  
Maria Elena Negrin – Appointed by Commissioner Luis R. Garcia, Jr.  
Rocio Sullivan – Appointed by Commissioner Simon Cruz  
Stevan M. Zaiman – Appointed by Commissioner Matti Bower  
Morris Sunshine- Appointed by Mayor David Dermer  
Justo Gomez- Appointed by Mayor David Dermer

FROM: Jorge M. Gonzalez, City Manager 

DATE: September 19, 2006

SUBJECT: **Meeting of the Ad Hoc Condominium Reform Taskforce**

A meeting of the Ad Hoc Condominium Reform Taskforce has been scheduled for Tuesday, September 19, 2006 at 6:00PM in the City Manager's Large Conference Room, fourth floor of City Hall.

### AGENDA

1. Minutes of the July 10, 2006 Ad Hoc Condo Reform Taskforce
2. Recap of the July 12th Commission Meeting
3. Insurance
4. New building requirements for hurricanes
5. Education and training for condo association members

# **Minutes of the July 10, 2006 Ad Hoc Condo Reform Taskforce**

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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: September 19, 2006

SUBJECT: **MINUTES OF THE AD HOC CONDOMINIUM REFORM TASKFORCE MEETING OF JULY 10, 2006**

The meeting of the Adhoc Condominium Reform Taskforce was held on Monday, July 10, 2006. **The attendees were as follows:** Commissioner Luis R. Garcia, Jr., Commissioner Matti Bower, Nina Baliga, Joe Fontana, Justo Gomez, Michael C. Gongora, Calvin Kohli, Milli Membiela Barbara Montero, Rocio Sullivan, Maria Elena Negrin and Stevan M. Zaiman.

**Absent:** Luis Maseda and Morris Sunshine.

**City Staff:** Tim Hemstreet, Assistant City Manager; Debora Turner, First Assistant City Attorney; Georgina Echert, Assistant Finance Director; Eugenio Lopez, Financial Analyst II; Hamid Dolikhani, Building Department Assistant Director; Kevin Crowder, Economic Development Division Director and Dolores M. Mejia, Special Projects Administrator.

### AGENDA

#### **1. Minutes of the June 20, 2006 Ad Hoc Condo Reform Taskforce**

MOTION: Approval of the minutes, with amendments (reflect election of Joe Fontana as Chair).

VOTE: Unanimously approved.

#### **2. Discuss all adopted Motions by the Taskforce and determine how to move each item forward. ITEM DEFERRED FROM JUNE 20, 2006 MEETING.**

Item discussed. All Taskforce formal motions reviewed. Staff to prepare report for the July 12 Commission Meeting.

#### **3. Staff analysis of options available in providing city lien information in a centralized, accessible area. ITEM DEFERRED FROM JUNE 20, 2006 MEETING.**

Item discussed.

#### **4. Discuss Condominium Related Bills from the 2006 State Legislative Session. ITEM DEFERRED FROM JUNE 20, 2006 MEETING.**

Item discussed.

Agenda items requested for the September 19 meeting:

1. Recap of the July 12 Commission Meeting

***Commission Memorandum***

***Minutes of the 5/30/06 Ad hoc Condominium Reform Taskforce Meeting***

***June 20, 2006***

***Page 2 of 2***

2. Insurance
3. New building requirements for hurricanes
4. Education and training for condo association members

# AD HOC CONDOMINIUM REFORM TASKFORCE MEETING

Monday, July 10, 2006 @ 6:00 P.M.

City Manager's Large Conference Room

## Attendance Sheet

NAME	E-MAIL ADDRESS	CONTACT NUMBERS	FAX NUMBER
1. Justo E. Gomez	JGomez4010@aol.com		
2. DEBRA TURVER	debra.turner@miamibeachfl.gov	x6441	
3. Barbara B. Montero	bbm@the-beach.net		
4. Steven Zaiman	szaiman@earthlink.net	305.531.3114	
5. M.I. Membrely	MEMVIL@aol.com	305.815.5148	305.531.1324
6. NINA BALIGA	nbaliga@seiu21.org	305-672-7071	
7. M. E. NEGRIN	GALIANOGAR@BELL	7-367-7112	
8. Michael Gongora	mgongora@becker-policeoff.com	305 260 1014	
9. Joe Fontana	@	305-861-0054	305-861-0659
10. Calvin Kohli	C.Kohli@aol.com	305-345-6210	305-947-6699
11. Juliana Rangel	Quelindodiamar@aol.com	305 538 2125	
12. AYESI MARRA	duygulomara@AOL.COM	305-673-3023	
13. GENEVIEVE POLIKHAN	@		
14. LAMICIA POLIKHAN	@miami.beachfl.gov	(305) 673-7000	
15. Eugenio Lopez	EugenioLopez@miamibeachfl.gov	305 673-7000	
16. MAGGIE ECHEN	@	305-673-7000	
17. Kevin Crander	@	673-7193	
18. Dolores M. Mejia	dmejia@miamibeachfl.gov	673-7010	
19. Tim Hemstreet	themstreet@miamibeachfl.gov	305 673-7010	
20. Rocio Sullivan	rosullivan@msn.com	(786) 210-6250	

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→ Michael Gongora alt. email: michaelc.gongora@aol.com

# Recap of the July 12th Commission Meeting

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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Ad Hoc Condominium Reform Taskforce

DATE: July 12, 2006

SUBJECT: **AD HOC CONDOMINIUM REFORM TASKFORCE PROGRESS REPORT  
AND RECOMMENDATIONS**

### **Background**

The Ad Hoc Condominium Reform Task Force was authorized by the City Commission at the December 7, 2005 Commission Meeting.

The Taskforce is composed of 14 members, and includes co-chairs Commissioners Luis R. Garcia, Jr. and Matti H. Bower as well as two members appointed by each member of the City Commission.

The first meeting of the Taskforce took place on Tuesday, February 7, 2006, and the Taskforce established its meeting schedule as every other Tuesday thereafter. On May 2, 2006, The Taskforce voted to change the composition of the Taskforce to alternate chairmanship between Commissioner Garcia and Commissioner Bower. Under this scenario, one of the Commissioners would serve as a non-voting observer. This would alternate every other meeting as noted above.

At the May 30, 2006 meeting, The Taskforce voted to extend the committee for 6 months. The Committee will sunset on December 7, 2006.

The Taskforce voted to have Committee meetings once a month and allow for emergency session to be called by the Chair. For this purpose, either Commissioner Bower or Garcia could call the emergency meeting.

### **Recommendations to the City Commission**

At the July 10, 2006 meeting, the Taskforce voted to provide the City Commission the following recommendations to be included in the City's Legislative Agenda for the Florida Legislature:

- Amend the Condominium Act to require the licensing of condominium management companies. Currently, individual condominium or property managers must be licensed, but the employing company does not.
- Amend F.S. 718.616 (4), which is the statutory section that regulates condominium conversions, to expand the content of the municipal letter to include disclosure of all outstanding building code violations.

- Amend F.S. 718 to require that all outstanding building code violations be resolved prior to State approval of a condominium conversion.
- Amend F.S. 718.616 to require submission by the applicant to the local governing body of those items required to be disclosed pursuant to a conversion.
- Amend F.S. 718.616 to expand disclosure requirements to include:
  - (1) outstanding municipal code (building, use, etc.) violations on the premises
  - (2) date of most recent recertification
  - (3) accounting of the status of the capital replacement and repair reserve funds
  - (4) current capital contracts in effect
  - (5) any litigation regarding the premises
  - (6) listing of all outstanding municipal or contractor liens
  - (7) all current municipal occupational licenses and uses for the premises
- Require the following disclosures to all unit owners once a year:
  - (1) outstanding municipal code (building, use, etc.) violations on the premises
  - (2) date of most recent recertification
  - (3) accounting of the status of the capital replacement and repair reserve fund
  - (4) current capital contracts in effect
  - (5) any litigation regarding the premises
  - (6) listing of all outstanding municipal or contractor liens
  - (7) all current municipal occupational licenses and uses for the premises
- Amend Florida Statutes to reduce the initial recertification requirement for condominium buildings from 40 years to 20 years by a registered, Florida professional engineer for all building systems, with a required renewal every 5 years thereafter.
- Pursue the creation of a State Grant Program to offset the costs of building, fire and life safety related significant renovations to older structures, and amend the Florida Statutes to create authority for municipal conduit financing for the same type of renovations.
- Amend Florida Statutes to authorize local jurisdictions to require that condominium associations, at occupational license renewal, provide confirmation that all unit owners have been provided notice of all code violations in the building's common areas.

### **Accomplishments**

Since its inception, the Ad Hoc Condominium Reform Taskforce has worked with the City Administration and City Attorney's Office to tackle and resolve a broad spectrum of issues.

The Taskforce has focused on public awareness and increased communication regarding condominium issues. Coordinated through the City's Neighborhood Services Department, the Taskforce has hosted two free workshops presented by the State Ombudsman's Office. The topics of the workshops were Condo Owner's Rights and Responsibilities and Governing Documents of Condominiums, both of which were televised on MBTV/CH 77.



Also, the Taskforce voted to require courtesy notices of Special Master Hearings for common area violations. This request has been reviewed by the City Attorney's Office and the Building Department, and draft language has been approved by the Taskforce. Staff is working to finalize the administrative protocol to execute this request.

TH/DM

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# Insurance

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**RESOLUTION NO. 2006-26302**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE STATE OF FLORIDA TO CONSIDER EXPANSION OF THE ELIGIBILITY CRITERIA FOR THE SAFE FLORIDA HOME PROGRAM TO INCLUDE HURRICANE MITIGATION MEASURES FOR MULTIFAMILY BUILDINGS; FURTHER URGING THE STATE OF FLORIDA TO DISTRIBUTE THE LATEST \$100 MILLION OF FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING IN ACCORDANCE WITH CONGRESS'S INTENT THAT PARTICULAR EMPHASIS BE PLACED ON THE REPAIR, REHABILITATION AND RECONSTRUCTION OF AFFORDABLE RENTAL HOUSING; FURTHER REQUESTING THE CREATION OF A GRANT PROGRAM THAT ASSISTS LOCAL COMMUNITIES' COMPLIANCE WITH THE ALTERNATIVE POWER SOURCE REQUIREMENT OF SECTION 553.509, FLORIDA STATUTES; AND FURTHER URGING THE STATE OF FLORIDA TO PLACE PRIORITY ON THE DISTRIBUTION OF AVAILABLE MITIGATION FUNDS TO THE HIGHEST RISK LOCATIONS, AS IDENTIFIED BY THE INSURANCE RATES ESTABLISHED BY CITIZEN'S PROPERTY INSURANCE CORPORATION.**

**WHEREAS**, a total of eight (8) hurricanes have impacted the State of Florida in the past two years; and

**WHEREAS**, on February 13, 2006, the United States Department of Housing and Urban Development (HUD) awarded \$82 million in Community Development Block Grant (CDBG) funds to the State of Florida for the purpose of assisting in the recovery of the most impacted and distressed areas related to the consequences of Hurricanes Katrina, Rita, and Wilma; and

**WHEREAS**, the Florida Department of Community Affairs (DCA) awarded Miami-Dade County a total of \$16.1 million pursuant to this funding; and

**WHEREAS**, the City of Miami Beach submitted three funding requests, totaling \$1,555,000, in response to a funding announcement from Miami-Dade County; and

**WHEREAS**, Miami-Dade County recommended funding nine of the 43 projects that were submitted; and

**WHEREAS**, eighty percent (80%) of the County's CDBG disaster funding was allocated to the rehabilitation of single family homes; and

**WHEREAS**, the 2006 Florida Legislature created the Safe Florida Homes Program, and further provided \$250 million for this Program; and

**WHEREAS**, the Safe Florida Homes program is only available to homeowners of single family homes that are insured for less than \$500,000 and have a homestead exemption; and

**WHEREAS**, residents and owners of units in multi-family structures are excluded from the Safe Florida Homes Program; and

**WHEREAS**, only 7.7 percent (7.7%) of the housing units in Miami Beach are located in single family homes; and

**WHEREAS**, multi-family structures comprise 64 percent (64%) of the total housing units in the coastal cities located in Volusia, Martin, Indian River, St. Lucie, Palm Beach, Broward, and Miami-Dade Counties; and

**WHEREAS**, according to Miami-Dade County's Master Hurricane Wilma Damage Report, there were 342 unsafe units in Miami Beach, and the four cities of Miami Beach, North Bay Village, Aventura and Sunny Isles Beach had 50.1% of all identified unsafe units in Miami-Dade County; and

**WHEREAS**, Section 553.509, Florida Statutes, requires an alternative power source for certain types of multi-family structures; and

**WHEREAS**, the Florida Legislature did not provide funding assistance at the time the alternative power source requirement was created; and

**WHEREAS**, Citizens Property Insurance Corporation (Citizens) was organized by the State of Florida as the State's "insurer of last resort"; and

**WHEREAS**, premiums charged by Citizens are based on perceived risk and therefore are not uniform Statewide; and

**WHEREAS**, through Citizens, the State of Florida has established a methodology that identifies the vulnerability and risk of property throughout the State; and

**WHEREAS**, the distribution of State, Federal and County mitigation assistance should be prioritized based on an area's risk; and

**WHEREAS**, HUD has announced that the State of Florida will receive an additional appropriation of CDBG disaster funding, in the amount of \$100 million; and

**WHEREAS**, the press release announcing HUD's latest funding states that the funds were allocated based on Congress's intent that particular emphasis be placed on the repair, rehabilitation and reconstruction of affordable rental housing; and

**WHEREAS**, the State of Florida has indicated that the additional \$100 million in CDBG disaster funding will be added to the Safe Florida Homes Program, and as such, will not be available to assist the majority of the most vulnerable households in the State; and

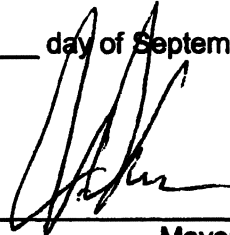
**WHEREAS**, the Governor of the State of Florida has created the Property and Casualty Insurance Reform Committee; and

**WHEREAS**, the Committee is charged with making recommendations on improving competition and creating incentives for insurance policy writing in all markets; encouraging commercial as well as residential hazard mitigation; improving insurance agent underwriting practices; reducing the reliance on Citizens Property Insurance Corporation; and evaluating the effectiveness of the programs enacted by the 2006 Legislature.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission strongly urge the State of Florida to:

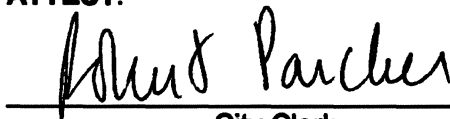
1. Consider expansion of the eligibility criteria for the Safe Florida Home Program to include hurricane mitigation measures for multi-family buildings;
2. Distribute the latest \$100 million of federal Community Development Block Grant funding in accordance with Congress's intent that particular emphasis be placed on the repair, rehabilitation and reconstruction of affordable rental housing;
3. Create a grant program that assists local communities in complying with the alternative power source requirement of Section 553.509, Florida Statutes; and
4. Place priority on the distribution of available mitigation funds to the highest risk locations, as identified in part by the methodology used and the insurance rates established by Citizens Property Insurance Corporation.

**PASSED and ADOPTED** this 6th day of September, 2006.



\_\_\_\_\_  
Mayor  
David Dermer

**ATTEST:**



\_\_\_\_\_  
City Clerk  
Robert Parcher

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**



\_\_\_\_\_  
City Attorney

8/30/06  
Date

**Condensed Title:**

A Resolution requesting specific actions by the State of Florida to provide disaster mitigation assistance for housing in Miami Beach.

**Key Intended Outcome Supported:**

Improve the City's Financial Health and Maintain Overall Bond Rating and Improve Resident Ratings of Public Safety Services.

**Issue:**

Shall the City pursue changes to the process used by the State of Florida in the distribution of disaster mitigation funding, specifically for improvements to housing?

**Item Summary/Recommendation:**

The State of Florida has created the Safe Florida Homes program, which is currently only available to owners of homesteaded single family homes that are insured for less than \$500,000. Additionally, the State will receive \$100 million from the federal government, which the State has indicated will be targeted to the Safe Florida Homes program. Given the number of housing units in multifamily buildings in Miami Beach, the Administration recommends that the Mayor and City Commission urge the State of Florida to take the following actions:

1. Expansion of the eligibility criteria of the Safe Florida Homes program to include multifamily buildings, provided certain criteria are met;
2. Allocation of the latest round of CDBG funding to the full range of needs identified by HUD, specifically to Congress' intent that particular emphasis be placed on the repair, rehabilitation and reconstruction of affordable rental housing;
3. Inclusion of a grant program that assists local communities in complying with the Legislature's unfunded mandate that requires alternative power sources in certain types of multi-family housing;
4. Prioritize the distribution of all available mitigation funds to the highest risk location, as identified by the rates determined by Citizen's Property Insurance Corporation.

**Advisory Board Recommendation:**

None

**Financial Information:**


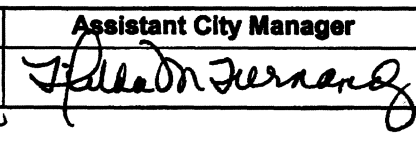
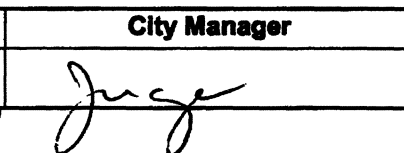
Source of Funds:	Amount	Account	Approved
1			
2			
3			
4			
<b>Total</b>			

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

Kevin Crowder, Economic Development

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
		



MIAMIBEACH

AGENDA ITEM

C7W

DATE

9-6-06



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: September 6, 2006

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, URGING THE STATE OF FLORIDA TO CONSIDER EXPANSION OF THE ELIGIBILITY CRITERIA FOR THE SAFE FLORIDA HOME PROGRAM TO INCLUDE HURRICANE MITIGATION MEASURES FOR MULTIFAMILY BUILDINGS; FURTHER URGING THE STATE OF FLORIDA TO DISTRIBUTE THE LATEST \$100 MILLION OF FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING IN ACCORDANCE WITH CONGRESS' INTENT THAT PARTICULAR EMPHASIS BE PLACED ON THE REPAIR, REHABILITATION AND RECONSTRUCTION OF AFFORDABLE RENTAL HOUSING; FURTHER REQUESTING THE CREATION OF A GRANT PROGRAM THAT ASSISTS LOCAL COMMUNITIES COMPLIANCE WITH THE ALTERNATIVE POWER SOURCE REQUIREMENT OF SECTION 553.509, FLORIDA STATUTES; AND FURTHER URGING THE STATE OF FLORIDA TO PLACE PRIORITY ON THE DISTRIBUTION OF AVAILABLE MITIGATION FUNDS TO THE HIGHEST RISK LOCATIONS, AS IDENTIFIED BY THE INSURANCE RATES ESTABLISHED BY CITIZEN'S PROPERTY INSURANCE CORPORATION.**

### **ADMINISTRATION RECOMMENDATION**

Adopt the Resolution.

### **ANALYSIS**

On February 13, 2006, the Department of Housing and Urban Development (HUD) awarded \$82,904,000 in Community Development Block Grant (CDBG) funds to the State of Florida for the purpose of assisting in the recovery of the most impacted and distressed areas related to the consequences of Hurricanes Katrina, Rita and Wilma. The Florida Department of Community Affairs allocated \$16.1 million of this funding to the recovery efforts in Miami-Dade County, for which the County solicited funding requests.

The City submitted four projects for this funding, of which the County considered three requests totaling \$1,555,000. On July 25-26, an evaluation committee discussed and ranked the proposals received by the County, and recommended funding for nine projects. The projects submitted by the City were not recommended for funding; a \$1.2 million request by the Miami Beach Housing Authority was recommended.

At the committee meeting, County staff mentioned that HUD was working on another \$1 billion for assistance to the states that were impacted by last year's hurricanes. On August 18, 2006, HUD issued a press release announcing \$973 million to promote long-term recovery in Alabama, Florida, Mississippi and Texas, identifying \$100,066,518 for the State

of Florida.

On Saturday, August 19, 2006, Florida Insurance Commissioner Kevin McCarty announced the approval of this additional \$100 million, adding that it would be added to the \$250 million provided by the Legislature for the Safe Florida Homes program. This program provides free home inspections and \$5,000 mitigation grants for improvements to homesteaded single family homes that are insured for less than \$500,000. Approximately \$100 million of this program has been identified for distribution as grants to local governments, with the expectation that the local governments will provide the match and administer a local program. Local governments may use their State Housing Initiative Partnership (SHIP) funding as the match.

In reviewing this program, and in anticipation of the additional funding provided by HUD to the State of Florida, the Administration became concerned that the City would not be provided the opportunity to compete for its fair share of the mitigation funding, since multifamily structures are excluded from participation in the State's mitigation program. Additionally, for the first round of CDBG disaster funding, Miami-Dade awarded 80% of the funds to programs targeting single family homes. Additionally, only 7.7% of the City's housing units are single family homes. The remaining 92.3% are in multi-family structures and ineligible for this assistance.

On August 23, 2006, the Administration held a conference call with representatives of the Florida Department of Financial Services and the Florida Department of Community Affairs to discuss these concerns, and has subsequently forwarded the additional information on this issue (Attachment 'A'). Furthermore, staff presented these concerns to the August 24, 2006 meeting of the Governor's Property Insurance Reform Committee in Orlando.

To date, the Administration has identified some actions that should be taken to provide Miami Beach with the opportunity to compete for mitigation funds. These include:

1. Expansion of the eligibility criteria of the Safe Florida Homes program to include multifamily buildings, provided certain criteria are met;
2. Allocation of the latest round of CDBG funding to the full range of needs identified by HUD, specifically to Congress' intent that particular emphasis be placed on the repair, rehabilitation and reconstruction of affordable rental housing;
3. Inclusion of a grant program that assists local communities in complying with the Legislature's unfunded mandate that requires alternative power sources in certain types of multi-family housing;
4. Prioritize the distribution of all available mitigation funds to the highest risk location, as identified by the rates determined by Citizen's Property Insurance Corporation.

## **CONCLUSION**

The Administration recommends that the Mayor and City Commission request these actions by Resolution, to be submitted to the Governor's Office, the Department of Financial Services, the Department of Community Affairs, and the Property Insurance Reform Committee.

JMG/HF/kc

Attachment

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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

ECONOMIC DEVELOPMENT & LEGISLATIVE AFFAIRS  
Tel: 305.673.7193, Fax: 305.673.7033

## ATTACHMENT 'A' – HOUSING MITIGATION

The City of Miami Beach requests that the Florida Legislature consider expansion of the eligibility criteria for the Safe Florida Homes program, to apply the similar guidelines to multifamily buildings (apartments or condos), making grants available for \$2,500 per unit, as long as the per-unit insured value is below \$500,000. In the case of condominiums, the grant could only be available per homesteaded condo.

The City of Miami Beach requests consideration that the latest CDBG funding from HUD (\$100M) be allocated to the full range of needs identified by HUD, to benefit the low and moderate income population while continuing to award funds for programs that promote the statutory program objective of strengthening homes (including multi-family units) against hurricanes and reducing property losses. This funding should be distributed by the State rather than the individual counties as formula grants, based on a combination of factors that include appropriate damage assessment and storm impact, the community's entitlement status, low/mod benefit, the community's location as it relates to windstorm rates, value of potential property loss, and demonstrated need by the applicant.

The City of Miami Beach requests the inclusion of a grant program that assists local communities in complying with the Legislature's unfunded mandate that requires generators for certain types of multi-family housing (553.509 F.S.).

The City of Miami Beach urges the State of Florida to place priority on the distribution of available mitigation funds to the highest risk locations, as identified by the varying premiums charged by Citizen's Property Insurance.

The City submits these requests based in part on the evidence that 82% of the housing in Miami-Dade County's coastal cities is in multi-family buildings, as were the vast majority of units that were declared "unsafe" throughout Miami-Dade County following Hurricane Wilma. This request is also based on the City's recent experience with both the distribution of Miami-Dade County's initial CDBG award of \$16 million, and the need for the City to create its own blue roof program following Hurricane Wilma.

Additional background on these issues is provided below in greater detail.

MIAMI BEACH

**FLORIDA'S 24-HOUR MARKETPLACE**

HOSPITALITY | HEALTH CARE | RETAIL | TV/MUSIC | FINANCIAL SERVICES | INFO TECH | REAL ESTATE

*We are committed to providing excellent public service and safety to all who live, work, and play in our vibrant, tropical, historic community*

### **My Safe Florida Home Program**

This program provides a \$5,000 matching grant for mitigation improvements to housing that is a Site Built, Single-Family Home that is homesteaded and insured for less than \$500,000.

This program received \$250 million in this year's state budget, of which \$100 million is allocated for grants to local government for mitigation assistance to low-income and moderate-income residents.

Through this program matching grants will be awarded to local governments that implement or expand upon programs promoting the statutory program objective of strengthening homes against hurricanes and reducing property losses.

Unfortunately, although Miami Beach was significantly impacted by Hurricane Wilma, the legislation that established this program's criteria excludes eligibility by virtually any property in Miami Beach.

### **Miami Beach / Coastal Housing Characteristics**

Miami Beach Housing Stock Characteristics (2006 Tax Roll):

Single Family	5,150	7.7%
Duplex	453	0.7%
Rental Apartments	21,597	32.3%
Condominiums	38,536	57.7%
Cooperatives	810	1.2%
Mixed Use	175	0.3%
Town homes	88	0.1%
Total	66,809	

Although the vast majority of single family homes in Miami Beach are worth more than \$500,000, the median sale price of condominiums is \$338,000. These condominiums (as well as rental apartments) are primarily 1 bedroom units. Due to the City's recent success, there are some assumptions made about our community that are not quite accurate. Miami Beach is not just luxury high-rise condos and the glitzy South Beach seen on TV, rather a city of 13 very diverse neighborhoods that continues to be designated as an entitlement jurisdiction, receiving housing and community development funding from HUD for the City's low and moderate income population. There are currently over 2,500 households in affordable housing in Miami Beach that is assisted by federal or state housing funds.

Mitigation is an issue for all types of housing in Florida, and Miami Beach recognizes the vulnerability and needs of single-family homeowners throughout the state. However, given the recent run-up in real estate costs, the low-moderate income population increasingly lives in multifamily buildings, especially rental housing. The population that is most vulnerable to

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**FLORIDA'S 24-HOUR MARKETPLACE**

HOSPITALITY | HEALTH CARE | RETAIL | TV/MUSIC | FINANCIAL SERVICES | INFO TECH | REAL ESTATE

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damage from wind and flooding, as well as disruption and displacement due to evacuation, lives along the coast, and the vast majority in multifamily buildings. In fact, 64% of the housing units in the coastal communities of the eight east coast Florida counties, from Dade to Volusia, are not single family homes (see attachment Coastal City Housing). Eighty-two percent of coastal community housing in Miami-Dade County is multi-family.

Miami Beach is growing increasingly concerned that the needs of this significant population do not appear to be getting their fair share of assistance that should be going to the entire population of the impacted areas. This is an especially difficult issue when citizens hear announcements and stories in the media about all of the money that is being allocated, and then ask their local government why it is not making it all the way down, leaving it to the local officials to try to explain the criteria that is based on decisions that take place beyond their control.

A perfect example is the "Blue Roof Program", which was heavily publicized after Hurricane Wilma. Unfortunately, the vast majority of buildings in Miami Beach have flat or barrel-tile roofs, which do not qualify for that program. The City of Miami Beach acquired approximately 350 blue tarps for \$15,000 for structures that did not qualify for the official Blue Roof Program.

As identified in Miami-Dade County's Master Hurricane Wilma Damage Report, there were 297 unsafe units in Aventura, 342 in Miami Beach, 37 in North Bay Village, and 285 in Sunny Isles Beach. These four relatively small coastal cities had 50.1% of all identified unsafe units countywide, are located in an evacuation zone for a Category 1 storm, and have a majority of their housing in multi-family buildings. These cities are almost entirely dependent on Citizen's for windstorm coverage, and are located east of US1, resulting in higher premiums than other locations. These cities, along with the other barrier island communities, represent over 22% of the total taxable property value of all of Miami-Dade County. The two larger cities of Hialeah and Miami had a total of 415 unsafe units in 39 buildings.

As it relates to this existing Safe Florida Home program, the 2007 Legislature should consider expansion of the eligibility criteria to apply the similar guidelines to multifamily buildings (apartments or condos), making grants available for \$2,500 per unit, as long as the per-unit insured value is below \$500,000. In the case of condominiums, the grant could only be available per homesteaded condo.

#### **First CDBG Disaster Recovery Florida Appropriation**

From the first CDBG Allocation, DCA allocated \$16.1 million to Miami Dade County for disaster relief, long term recovery and the restoration of infrastructure related to Hurricane Katrina and Wilma. Although the City applied for funding, we were not awarded funding through the County's competitive process. While the City respects the nature of competitive processes, we have transmitted our concerns with the process used by the County in this case. We remain concerned that our there may be some lingering assumptions about Miami Beach

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**FLORIDA'S 24-HOUR MARKETPLACE**

HOSPITALITY | HEALTH CARE | RETAIL | TV/MUSIC | FINANCIAL SERVICES | INFO TECH | REAL ESTATE

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that are not understood, especially as it related to the impact of the recent hurricanes on our community.

This program required that a minimum of 70% of funds be allocated for housing projects, and that up to 30% could be allocated for infrastructure. Based on the applications that were submitted, 42% of the funding requests were for single family housing, 11% for multi-family, 16% for infrastructure, and 29% for generators.

Of the County's funding recommendations, 80% was allocated to Single Family rehabilitation, 85 to Multi-family rehabilitation, 13% to an Infrastructure project, and no funding for generators.

The evaluation criteria included a ranking of areas that were "hardest hit," which was basically defined as an area's participation in the official Blue Roof Program, dismissing not only the City of Miami Beach's overall ineligibility for that program, but also the County's damage report indicating that at least 75% of the designated unsafe units countywide were in multi-family structures.

It also appeared that the applicants were at a disadvantage, since Miami-Dade County was not only conducting the evaluation and administering the grant, but also submitted grant requests totaling more than \$24 million when only \$15.6 million in project funding was available.

#### **New CDBG Disaster Recovery Appropriation**

HUD has announced a new allocation of \$100,066,518 to the State of Florida, to be used for: restoring needed affordable housing, rebuilding critical infrastructure, and stimulating the economies of the areas.

HUD's press release states that funds were allocated based on Congress's intent that particular emphasis be placed on the repair, rehabilitation and reconstruction of affordable rental housing. Also, special priority is placed on the unmet needs of evacuees forced from their own homes. The allocation was based on data on the extent and concentration of housing damage, as well as the unmet needs submitted by each state (the City has submitted its list to the County and State).

Other housing repair, hardening of homes that suffered damage and infrastructure are given lower priority weights by HUD, according to the release.

One of our initiatives appears to be eligible for this new round of funding. During Wilma, we had a problem with transporting and sheltering victims of the storm where roofs received some damage and the building needed to be evacuated. This initiative would allow for programs that potentially shelter in place, if we have a program to address minor roof damage. More extensive roof or structural damage would require relocation of people in the building. One

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problem is that there are no shelters in Miami Beach, and we have been unsuccessful in securing one even for the post-storm period. For a storm like Wilma, which caused roof damage but little structural damage, people tended to stay in their damaged properties, as opposed to traveling to southern or western Miami-Dade County, due to the impact that would have on getting kids to school and getting to work, among other things. It is important to have a plan to address this type of storm to allow for a short duration, up to 12 weeks, of shelter in local hotels through a voucher program, or some other

At last Saturday's Insurance Idearaiser, it sounded like Insurance Commissioner Kevin McCarty, in announcing the \$100 million allocation, said that the new federal money would be added to the \$250 million already in the safe homes program. The City is concerned about this for the reasons mentioned previously, especially in light of HUD's statement regarding Congress' intent that particular emphasis be placed on the repair, rehabilitation and reconstruction of affordable rental housing.

The City requests consideration that these funds be allocated to the full range of needs identified by HUD, to benefit the low and moderate income population while continuing to award funds for programs that promote the statutory program objective of strengthening homes (including multi-family units) against hurricanes and reducing property losses. This should include programs that mitigate not only wind damage, but that mitigate all forms of hurricane damage. Infrastructure programs should also be evaluated on how much they reduce the exposure of the National Flood Insurance Program.

This funding should be distributed by the State rather than the individual counties as formula grants, based on a combination of factors that include appropriate damage assessment and storm impact, the community's entitlement status, low/mod benefit, the community's location as it relates to windstorm rates, value of potential property loss, and demonstrated need by the applicant.

Additionally, there is the continuing need to comply with the Legislature's unfunded mandate that requires generators for certain types of multi-family housing (553.509 F.S.). Provided income criteria are met, a program to address this requirement would clearly meet the criteria from HUD.

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**RESOLUTION NO. 2006-26279**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA URGING THE FLORIDA LEGISLATURE TO IMMEDIATELY CONVENE A SPECIAL SESSION TO ADDRESS THE CRISIS IN FLORIDA'S [REDACTED] INSURANCE MARKET AND DIRECTING THE CITY MANAGER TO INCLUDE [REDACTED] INSURANCE REFORM IN THE CITY'S LEGISLATIVE AGENDA.**

**WHEREAS**, the State of Florida has always confronted the challenges and dangers posed by tropical storms and hurricanes, and

**WHEREAS**, it is critical that Floridians have both affordable and available insurance for the perils associated with [REDACTED] damage, and

**WHEREAS**, to this day, there are homes in various parts of Florida which still have blue tarps on their roofs from the 2004 or 2005 hurricanes because insurance companies are refusing to settle claims or are too slow in processing them, and

**WHEREAS**, the state-organized Citizens Property Insurance Corporation (Citizens), which was created to be a state "insurer of last resort," is now the largest [REDACTED] insurance provider in the State of Florida, issuing more than 1 million Florida homeowner policies, and

**WHEREAS**, Citizens has proven to be fundamentally flawed, as it forces the State to subsidize the risk of hurricane damage for Florida's highest risk properties, while allowing insurance companies to continually reap record profits at the expense of Florida taxpayers, and

**WHEREAS**, during the 2006 Legislative Session, the Legislature refused to even consider credible alternatives that might have stabilized the State's [REDACTED] insurance market and, instead, only considered proposals that were approved by the insurance industry itself, and

**WHEREAS**, the Legislature specifically ignored HB 1209, which called for the State to deliver a more affordable layer of insurance for all Floridians, an approach that independent experts believed would stabilize the insurance market and provide much needed rate relief, and

**WHEREAS**, the Legislature, with virtually no input or debate, waited until the late evening of the last day of a 60-day session to pass SB 1980 (with a 77-39 vote in the House and a 22-16 vote in the Senate), and

**WHEREAS**, SB 1980 only made it easier for private insurance companies to increase premiums without adequate oversight and removed important consumer protections, and

**WHEREAS**, since the 2006 Legislative Session, significant numbers of private insurance companies have dropped homeowners' policies, become financially insolvent, or are continuing to double and triple premiums in some areas of the State, and

**WHEREAS**, each day, more Floridians, including fixed income senior citizens of our State, are unable to afford these outrageous and oppressive rate increases that are becoming commonplace and causing some to give up their homes and condominiums, or to make choices affecting the necessities and the quality of their lives, and

**WHEREAS**, the City of Miami Beach ("City") has a high concentration of condominiums that are experiencing exponential increases in insurance rates requiring the associations to pass special assessments or increase the periodic maintenance charges to cover these increases, thereby resulting in many Miami Beach residents being faced with two alarming and outrageous increases, and

**WHEREAS**, commercial properties, including small businesses, and critical elements of our State's and City's economic infrastructure are likewise feeling the devastating impact of unavailable or unaffordable windstorm insurance, and

**WHEREAS**, since May 2006, political leaders have been calling upon the Governor and the presiding officers of the Legislature to convene a special session to address this hurricane insurance crisis in a meaningful way, and

**WHEREAS**, the solution to the hurricane insurance crisis will require legislative changes to the Florida Statutes, and

**WHEREAS**, the Governor of the State of Florida has the authority to call a special session of the Legislature under Article III, Section 3(c)(1) of the Florida Constitution, and has used this authority to convene special sessions during his administration for the purposes of amending Florida laws on tort reform and to intervene with the end of life decisions of Terry Schiavo, and

**WHEREAS**, the Speaker of the Florida House of Representatives and the President of the Florida Senate have the authority to convene a special session of the Legislature under Chapter 11.011(1), Florida Statutes, pursuant to Article III, Section 3(c)(2) of the Florida Constitution.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA** that the Governor of the State of Florida and the leadership of the Florida Legislature are hereby urged to immediately convene a special session to address the crisis in Florida's hurricane insurance market. The Legislature's solution should incorporate the following guidelines:

1. Consideration should be given to proposals that will lead to the depopulation of Citizens.

2. Allowing private insurance companies more freedom to raise rates is not a suitable solution for Florida's homeowners.
3. As a substantive reform of the insurance market is needed, waiting on the federal government to create a national catastrophe fund or creating hurricane-related tax-free savings accounts is insufficient to solve the current crisis in the hurricane insurance market.
4. The Florida Legislature should not be limited to only private market solutions which will continue the current status-quo of runaway premium hikes and tax assessments on Floridians.
5. Due consideration should be given to proposals which restructure or expand the Florida Hurricane Catastrophe Fund, or create a larger reinsurance pool for insurance companies or a more affordable layer of statewide windstorm insurance.

**BE IT FURTHER RESOLVED** that the City Manager is hereby directed to include windstorm insurance reform in the City's legislative agenda and the City Clerk shall cause copies of this Resolution to be dispatched to the Governor of the State of Florida, to the President of the Florida Senate, to the Speaker of the Florida House, and to each member of the Miami-Dade County delegation in the Florida Legislature.

**PASSED AND ADOPTED** this 6th day of September, 2006.

**ATTEST:**




**CITY CLERK**  
Robert Parcher

**APPROVED:**

  
**MAYOR**  
David Dermer

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
**City Attorney** 8/28/06  
**Date**





# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

**TO: MAYOR DAVID DERMER,  
MEMBERS OF THE CITY COMMISSION  
CITY MANAGER JORGE M. GONZALEZ**

**FROM: CITY ATTORNEY JOSE SMITH** *JFS*

**DATE: SEPTEMBER 6, 2006**

**SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY  
OF MIAMI BEACH FLORIDA, URGING THE FLORIDA LEGISLATURE TO  
IMMEDIATELY CONVENE A SPECIAL SESSION TO ADDRESS THE  
CRISIS IN FLORIDA'S WINDSTORM INSURANCE MARKET.**

---

Pursuant to the request of Commissioner Richard L. Steinberg, the above-referenced Resolution is submitted for consideration by the Mayor and City Commission.

The attached Resolution is in proper form and is thus ready for the City Commission's review.

---



MIAMI BEACH

c: Bob  
Cliff  
Lilia

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jorge M. Gonzalez, City Manager  
FROM: Richard L. Steinberg, Commissioner RLS/mt  
DATE: July 31, 2006

SUBJECT: Agenda Item-Resolution Requesting the Florida Legislature to Immediately Convene a Special Session to Address the Crisis in Florida's Windstorm Insurance Market

I would like to place the following resolution on the September 6<sup>th</sup> Commission Agenda for action.

If you have any questions, please feel free to contact my Aide, Ms. Marlene Taylor, at extension 6087.

RLS/mt.

Attachment: Draft resolution

Cc: Jose Smith, City Attorney

2006 JUL 31 10 10 10 AM

2006 JUL 31 10 10 10 AM

2006 JUL 31 10 10 10 AM

2006 JUL 31 10 10 10 AM

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Agenda Item R9D1  
Date 9-6-06



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## CITY CLERK'S OFFICE

Tel: 305-673-7411 , Fax: 305-673-7254

September 12, 2006

Honorable Jeb Bush  
Senator Tom Lee, President of the Florida Senate and Speaker of the House  
Miami-Dade County Delegation

On September 6, 2006, the City of Miami Beach City Commission adopted Resolution No. 2006-26279 urging the Florida Legislature to immediately convene a special session to address the crisis in Florida's Windstorm Insurance Market.

The Resolution is attached for your review and action.

Respectfully submitted,



Robert E. Parcher  
City Clerk

c Mayor David Dermer  
Commissioner Matti Bower  
Commissioner Simon Cruz  
Commissioner Luis R. Garcia, Jr.  
Commissioner Saul Gross  
Commissioner Jerry Libbin  
Commissioner Richard L. Steinberg

Jorge M. Gonzalez, City Manager

**Hatfield, Liliam**

**From:** Hatfield, Liliam  
**Sent:** Thursday, September 14, 2006 8:56 AM  
**To:** 'jeb.bush@myflorida.com'; 'lee.tom.web@flsenate.gov'; 'speaker@myfloridahouse.gov'; 'Debra Owens, Executive Director'; 'Rep. Anitere Flores'; 'Rep. Carlos Lopez-Cantera'; 'Rep. Dan Gelber'; 'Rep. David Rivera'; 'Rep. Dorothy Bendross-Mindingall'; 'Rep. Edward Bullard'; 'Rep. Gustavo Barreiro, Chair'; 'Rep. Juan C. Zapata'; 'Rep. Juan Carlos J. C. Planas'; 'Rep. Julio Robaina'; 'Rep. Ken Sorensen'; 'Rep. Marcelo Llorente'; 'Rep. Marco Rubio'; 'Rep. Phillip Brutus'; 'Rep. Rafael "Ralph" Arza'; 'Rep. Rene Garcia'; 'Rep. Wilbert T. Holloway'; 'Rep. Yolly Roberson'; 'Senator Alex Diaz de la Portilla'; Senator Frederica S. Wilson (Wilson.Frederica.web@flsenate.gov); 'Senator Gwen Margolis'; 'Senator J. Alex Villalobos'; 'Senator Larcenia J. Bullard'; 'Senator Nan Rich'; 'Senator Rudy Garcia '  
**Cc:** Dermer, David; Libbin, Jerry; Garcia, Luis; Gross, Saul; Cruz, Simon; Bower, Matti H.; Steinberg, Richard; Parcher, Robert; Gonzalez, Jorge  
**Subject:** Transmittal Letter re: Resolution No. 2006-26279  
**Importance:** High  
**Attachments:** 2006-26279 Reso.pdf

Honorable Governor Bush, Senator Tom Lee, President of the Senate, Honorable Allan G. Bense, Speaker of the House and Miami-Dade County Legislation Delegation Representatives:

On September 6, 2006, the City of Miami Beach City Commission adopted Resolution No. 2006-26279 urging the Florida Legislature to immediately convene a special session to address the crisis in Florida's Windstorm Insurance Market.

The Resolution is attached for your review and action. A hard copy of the resolution and cover letter have been sent by regular mail for distribution.

Respectfully submitted,

## **MIAMIBEACH**

**Liliam Hatfield**, Office Associate V  
CITY CLERK'S OFFICE  
1700 Convention Center Drive, Miami Beach, FL 33139  
Tel: 305-673-7411/ Fax: 305-673-7254 / [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

*We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community.*

9/14/2006

**Hatfield, Liliam**

**From:** Parcher, Robert  
**Sent:** Thursday, September 14, 2006 2:07 PM  
**To:** Hatfield, Liliam  
**Subject:** RE: Transmittal Letter re: Resolution No. 2006-26279

Pls file with reso

**MIAMIBEACH**

**Robert Parcher, City Clerk**  
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*We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community.*

**From:** Hatfield, Liliam  
**Sent:** Thursday, September 14, 2006 12:35 PM  
**To:** Mayor's Office  
**Cc:** Parcher, Robert  
**Subject:** FW: Transmittal Letter re: Resolution No. 2006-26279

FYI

**From:** Robaina, Julio [<mailto:Julio.Robaina@myfloridahouse.gov>]  
**Sent:** Thursday, September 14, 2006 11:36 AM  
**To:** Hatfield, Liliam  
**Subject:** RE: Transmittal Letter re: Resolution No. 2006-26279

I am pushing for it.

**From:** Hatfield, Liliam [<mailto:LiliamHatfield@miamibeachfl.gov>]  
**Sent:** Thursday, September 14, 2006 8:56 AM  
**To:** [jeb.bush@myflorida.com](mailto:jeb.bush@myflorida.com); LEE.TOM.WEB; Speaker; Debra Owens, Executive Director; Flores, Anitere; Lopez-Cantera, Carlos; Gelber, Dan; Rivera, David; Rep. Dorothy Bendross-Mindingall; Bullard, Edward; Barreiro, Gustavo; Zapata, Juan; Planas, JC; Robaina, Julio; Sorensen, Ken; Llorente, Marcelo; Rubio, Marco; Brutus, Phillip; Arza, Ralph; Garcia, Rene; Holloway, Tee; Roberson, Yolly; PORTILLA.ALEX.WEB; WILSON.FREDERICA.WEB; MARGOLIS.GWEN.WEB; VILLALOBOS.ALEX.WEB; BULLARD.LARCENIA.WEB; RICH.NAN.WEB; GARCIA.RUDY.WEB  
**Cc:** Dermer, David; Libbin, Jerry; Garcia, Luis; Gross, Saul; Cruz, Simon; Bower, Matti H.; Steinberg, Richard; Parcher, Robert; Gonzalez, Jorge  
**Subject:** Transmittal Letter re: Resolution No. 2006-26279  
**Importance:** High

Honorable Governor Bush, Senator Tom Lee, President of the Senate, Honorable Allan G. Bense, Speaker of the House and Miami-Dade County Legislation Delegation Representatives:

On September 6, 2006, the City of Miami Beach City Commission adopted Resolution No. 2006-26279 urging the Florida Legislature to immediately convene a special session to address the crisis in Florida's Windstorm

9/14/2006

Insurance Market.

The Resolution is attached for your review and action. A hard copy of the resolution and cover letter have been sent by regular mail for distribution.

Respectfully submitted,

**MIAMIBEACH**

**Liliam Hatfield**, *Office Associate V*

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**Hatfield, Liliam**

**From:** Parcher, Robert  
**Sent:** Thursday, September 14, 2006 2:06 PM  
**To:** Hatfield, Liliam  
**Subject:** RE: Transmittal Letter re: Resolution No. 2006-26279

Pls save a copy with the Reso.

**MIAMIBEACH**

**Robert Parcher, City Clerk**  
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**From:** Hatfield, Liliam  
**Sent:** Thursday, September 14, 2006 12:28 PM  
**To:** Mayor's Office  
**Cc:** Parcher, Robert  
**Subject:** FW: Transmittal Letter re: Resolution No. 2006-26279

FYI

**From:** ANDERSON.CHARLIE.S10 [mailto:ANDERSON.CHARLIE.S10@flsenate.gov] **On Behalf Of** LEE.TOM.WEB  
**Sent:** Thursday, September 14, 2006 10:03 AM  
**To:** Hatfield, Liliam  
**Subject:** RE: Transmittal Letter re: Resolution No. 2006-26279

Dear Miami Beach City Commissioners:

Thank you for contacting my office to share your thoughts on the property insurance crisis facing our state. Like you, I have experienced some of the consequences of Florida's eight major storms during the 2004 – 2005 hurricane seasons, causing nearly \$40 billion in damages to our state. My insurance company has cancelled its coverage on more than one of my business properties, and I have been forced to find new coverage at an increase of 330%. The impacts are staggering, and it is doubtful that our families and businesses can hold up much longer under the incredible weight of the current market.

Contrary to critics, many of whom are using the insurance crisis for political gain, Florida leaders have already begun the process of reform by proposing both long-term and immediate solutions. Our situation will not be resolved with sound bites, rhetoric, or election year promises; we must draw upon the expert advice of business leaders, consumer advocates, and policy makers across our state to provide the wisdom and insight needed to rebuild a strong, affordable, and sustainable insurance market in Florida.

To that end, I asked Governor Bush to commission a task force on Property and Casualty Insurance Reform – comprised of non-insurance industry business leaders and consumer advocates. I suggested the group meet while the legislature is not in session in order to receive and evaluate policy options, provide the public a forum for testimony and suggestions, and ensure that recommendations are responsible and actuarially sound. Most importantly, the committee would deliberate in a non-political environment so

9/14/2006

that the needs of Floridians, rather than divisive partisanship, would be the paramount motivation for action.

Governor Bush agreed to assemble the reform committee and appointed the members along with Chairman Toni Jennings on July 26. I immediately sent a letter to the newly appointed group asking them to evaluate several proposals. I have attached the letter for your review.

In addition to the reform committee proposals, I recently asked Governor Bush to consider activating a Joint Underwriting Association for commercial property. This entity has the potential of providing insurance to commercial property owners who cannot find private coverage, thus ensuring that our economic engine will not come to a screeching halt during this crisis. The letter to Governor Bush is also attached for your review.

Finally, regarding a Special Legislative Session, I stand ready to call the Senate back to Tallahassee to debate and pass legislation relating to property insurance. However, it is premature to convene a session before there is some consensus as to the proper course of action. To do so would invite divisive and wasteful partisan bickering, and would detract from the problem-solving mission that is now underway.

Thank you for taking the time to contact me with your personal observations and concerns. Please know that I have great compassion for what you are experiencing and that you have my sincere commitment to do everything I can to help restore a property and casualty insurance market that is affordable for Florida's families and businesses. Please do not hesitate to contact my office if we can provide you with information, assistance, or receive your insurance reform proposals for consideration.

Sincerely,

Tom Lee

**From:** Hatfield, Liliam [mailto:LiliamHatfield@miamibeachfl.gov]

**Sent:** Thursday, September 14, 2006 8:56 AM

**To:** jeb.bush@myflorida.com; LEE.TOM.WEB; speaker@myfloridahouse.gov; Debra Owens, Executive Director; Flores, Anitere; Lopez-Cantera, Carlos; Gelber, Dan; Rivera, David; Rep. Dorothy Bendross-Mindingall; Bullard, Edward; Barreiro, Gustavo; Zapata, Juan; Planas, JC; Robaina, Julio; Sorensen, Ken; Llorente, Marcelo; Rubio, Marco; Brutus, Phillip; Arza, Ralph; Garcia, Rene; Holloway, Tee; Roberson, Yolly; PORTILLA.ALEX.WEB; WILSON.FREDERICA.WEB; MARGOLIS.GWEN.WEB; VILLALOBOS.ALEX.WEB; BULLARD.LARCENIA.WEB; RICH.NAN.WEB; GARCIA.RUDY.WEB

**Cc:** Dermer, David; Libbin, Jerry; Garcia, Luis; Gross, Saul; Cruz, Simon; Bower, Matti H.; Steinberg, Richard; Parcher, Robert; Gonzalez, Jorge

**Subject:** Transmittal Letter re: Resolution No. 2006-26279

**Importance:** High

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9/14/2006



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Respectfully submitted,

**MIAMI BEACH**

**Lilliam Hatfield**, Office Associate V

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**Sent:** Thursday, September 14, 2006 2:06 PM  
**To:** Hatfield, Liliam  
**Subject:** RE: Transmittal Letter re: Resolution No. 2006-26279

Pls save a copy with the Reso.

**MIAMIBEACH**

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**Cc:** Parcher, Robert  
**Subject:** FW: Transmittal Letter re: Resolution No. 2006-26279

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**Sent:** Thursday, September 14, 2006 10:03 AM  
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**Subject:** RE: Transmittal Letter re: Resolution No. 2006-26279

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9/14/2006

that the needs of Floridians, rather than divisive partisanship, would be the paramount motivation for action.

Governor Bush agreed to assemble the reform committee and appointed the members along with Chairman Toni Jennings on July 26. I immediately sent a letter to the newly appointed group asking them to evaluate several proposals. I have attached the letter for your review.

In addition to the reform committee proposals, I recently asked Governor Bush to consider activating a Joint Underwriting Association for commercial property. This entity has the potential of providing insurance to commercial property owners who cannot find private coverage, thus ensuring that our economic engine will not come to a screeching halt during this crisis. The letter to Governor Bush is also attached for your review.

Finally, regarding a Special Legislative Session, I stand ready to call the Senate back to Tallahassee to debate and pass legislation relating to property insurance. However, it is premature to convene a session before there is some consensus as to the proper course of action. To do so would invite divisive and wasteful partisan bickering, and would detract from the problem-solving mission that is now underway.

Thank you for taking the time to contact me with your personal observations and concerns. Please know that I have great compassion for what you are experiencing and that you have my sincere commitment to do everything I can to help restore a property and casualty insurance market that is affordable for Florida's families and businesses. Please do not hesitate to contact my office if we can provide you with information, assistance, or receive your insurance reform proposals for consideration.

Sincerely,

Tom Lee

**From:** Hatfield, Liliam [mailto:LiliamHatfield@miamibeachfl.gov]

**Sent:** Thursday, September 14, 2006 8:56 AM

**To:** jeb.bush@myflorida.com; LEE.TOM.WEB; speaker@myfloridahouse.gov; Debra Owens, Executive Director; Flores, Anitere; Lopez-Cantera, Carlos; Gelber, Dan; Rivera, David; Rep. Dorothy Bendross-Mindingall; Bullard, Edward; Barreiro, Gustavo; Zapata, Juan; Planas, JC; Robaina, Julio; Sorensen, Ken; Llorente, Marcelo; Rubio, Marco; Brutus, Phillip; Arza, Ralph; Garcia, Rene; Holloway, Tee; Roberson, Yolly; PORTILLA.ALEX.WEB; WILSON.FREDERICA.WEB; MARGOLIS.GWEN.WEB; VILLALOBOS.ALEX.WEB; BULLARD.LARCENIA.WEB; RICH.NAN.WEB; GARCIA.RUDY.WEB

**Cc:** Dermer, David; Libbin, Jerry; Garcia, Luis; Gross, Saul; Cruz, Simon; Bower, Matti H.; Steinberg, Richard; Parcher, Robert; Gonzalez, Jorge

**Subject:** Transmittal Letter re: Resolution No. 2006-26279

**Importance:** High

Honorable Governor Bush, Senator Tom Lee, President of the Senate, Honorable Allan G. Bense, Speaker of the House and Miami-Dade County Legislation Delegation Representatives:

On September 6, 2006, the City of Miami Beach City Commission adopted Resolution No. 2006-26279 urging the Florida Legislature to immediately convene a special session to address the crisis in Florida's Windstorm Insurance Market.

9/14/2006

The Resolution is attached for your review and action. A hard copy of the resolution and cover letter have been sent by regular mail for distribution.

Respectfully submitted,

**MIAMIBEACH**

**Lilliam Hatfield**, Office Associate V

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# **New building requirements for hurricanes**

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# **Education and training for Condo Association members**

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